

COUNTY OF MAUI, STATE OF HAWAII

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION

WEDNESDAY, AUGUST 16, 2017 AT 10:00 A.M.

UNIVERSITY OF HAWAII MAUI COLLEGE

LAULIMA BUILDING, ROOM 102

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ATTENDANCE

BOARD MEMBERS PRESENT:
Kevin Tanaka, Chair
Howard Hanzawa, Vice-Chair
Lawrence Feinberg
Gwen Ohashi Hiraga
Nora Kawasaki
Eugene Santiago
Sharen Sylva
Max Tsai
STAFF PRESENT:
Jeffrey T. Ueoka, Deputy Corporation Counsel
Amy Lau, Commission Secretary
Chief Tivoli Faaumu
Deputy Chief Rickard
Assistant Chief John Jakubczak
Assistant Chief Sterling Kiyota
Assistant Chief Victor Ramos
Melissa Magonigle, Business Administrator

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1 (Wednesday, August 16, 2017, 10:01 a.m.)

2 * * *

3 CHAIR TANAKA: Good morning, all. It's now
4 10:01. I'll now call the meeting of the Maui Police
5 Commission of August 16, 2017.

6 Start up with our roll call. Vice-Chair
7 Hanzawa.

8 VICE-CHAIR HANZAWA: Here

9 CHAIR TANAKA: Commissioner Feinberg.

10 COMMISSIONER FEINBERG: Here.

11 CHAIR TANAKA: Commissioner Hiraga.

12 COMMISSIONER HIRAGA: Here.

13 CHAIR TANAKA: Commissioner Kawasaki.

14 COMMISSIONER KAWASAKI: Here.

15 CHAIR TANAKA: Commissioner Leach? He's not --
16 okay. Commissioner Santiago.

17 COMMISSIONER SANTIAGO: Here.

18 CHAIR TANAKA: Commissioner Sylva.

19 COMMISSIONER SYLVA: Here.

20 CHAIR TANAKA: And Commissioner Tsai is not
21 present yet.

22 Next would be our opening remarks. We have
23 Pastor Kaneshiro here.

24 PASTOR KANESHIRO: I would like to lead us in a
25 word of prayer, if we pause for a moment.

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1 Heavenly Father, we thank you for this
2 opportunity to serve you and the people of this County. I
3 thank you for those of the Maui Police Department and
4 especially those who lead as these Chiefs do. Give them
5 your wisdom. We ask for your protection for the men and
6 women who are on the streets now. We ask for your
7 blessing and wisdom upon these Commissioners and their
8 families. And, Lord, we ask that you unite us as we seek
9 to better our community and to be pleasing unto you. For
10 it is in Jesus name we pray, amen.

11 CHAIR TANAKA: Thank you, sir.

12 Next would be presentation by the public of oral
13 or written testimony of agenda items. Seeing none, public
14 testimony is now closed.

15 The next item would be Letters of Commendation.
16 There were multiple commendations. Thank you to Command
17 Staff. These were the -- a lot of them were of the Battle
18 of the Badges. We always appreciate the extra effort by
19 our officers. If there's any comments; otherwise,
20 we'll move to file.

21 VICE-CHAIR HANZAWA: I move to file.

22 CHAIR TANAKA: So moved by Vice-Chair Hanzawa.
23 Is there a second?

24 COMMISSIONER SANTIAGO: Second.

25 CHAIR TANAKA: Second by Commissioner Santiago.

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1 All those in favor, please say "aye."

2 (Response.)

3 CHAIR TANAKA: Hearing -- any opposed?

4 (No response.)

5 CHAIR TANAKA: Hearing none, motion carries.

6 Next would be Correspondence.

7 COMMISSIONER HIRAGA: Mr. Chair, how about the
8 minutes?

9 CHAIR TANAKA: Oh, sorry. Okay. Sorry.
10 Backtracking, we need to approve the Police Commission
11 meeting minutes of July 19, 2017.

12 COMMISSIONER KAWASAKI: So moved.

13 COMMISSIONER HIRAGA: I have a comment. My
14 comment is that, and very minor, and part of it is part of
15 our Executive Session minutes, but I think we need to note
16 the time we went into recess on the regular meeting
17 minutes for Executive Session and, also, the -- and then
18 show the reconvene. So most of it is here. And I can
19 leave it with Amy. So -- so we need -- on Page 6, we need
20 to note the recess of 11:39 and reconvene at 11:50. That
21 should be part of the regular minutes. And --

22 CHAIR TANAKA: Oh. Yeah. I mean, I guess --
23 yeah, okay.

24 MS. LAU: That got overlooked, yeah, but I
25 can --

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1 COMMISSIONER HIRAGA: I'm comparing it to what
2 we approved from the previous meeting.

3 CHAIR TANAKA: Yeah, yeah, yeah.

4 COMMISSIONER HIRAGA: Unless, Jeff, we don't
5 show the recess before Executive Session on the regular
6 minutes.

7 MR. UEOKA: Probably should. It's fine.

8 CHAIR TANAKA: So the same numbers would
9 appear --

10 COMMISSIONER HIRAGA: Yeah.

11 CHAIR TANAKA: -- in both --

12 COMMISSIONER HIRAGA: Just --

13 CHAIR TANAKA: Both open session and --

14 COMMISSIONER HIRAGA: Just on the regular, yeah.

15 CHAIR TANAKA: Okay. Any other comment? Okay.

16 With that being said, again, the Chair would entertain a
17 motion and second to approve.

18 COMMISSIONER HIRAGA: Move to approve.

19 COMMISSIONER FEINBERG: Second.

20 CHAIR TANAKA: Okay. So moved by Commissioner
21 Hiraga, so seconded by Commissioner Feinberg. All those
22 in favor, please say "aye."

23 (Response.)

24 CHAIR TANAKA: Any opposed?

25 (No response.)

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1 CHAIR TANAKA: Hearing none, motion carries.

2 Okay. Next item is correspondences. I guess we
3 all received -- if there's any comments, any questions;
4 otherwise, Chair would entertain a motion to file.

5 COMMISSIONER KAWASAKI: So moved to file.

6 CHAIR TANAKA: So moved by Commissioner
7 Kawasaki. Any second?

8 COMMISSIONER TSAI: Second.

9 CHAIR TANAKA: Seconded by Commissioner Tsai.
10 All those in favor, please say "aye."

11 (Response.)

12 CHAIR TANAKA: Opposed?

13 (No response.)

14 CHAIR TANAKA: Hearing none, motion carries.
15 Next item is the Chief's Reports.

16 CHIEF FAAUMU: Thank you, Mr. Chairman.
17 Commissioners, good morning.

18 And I know, last meeting, you had met our
19 Business Administrator, Ms. Melissa Magonigle. So far,
20 she's still with us. Every day, I would ask her and
21 remind her, are you okay, you may say. So far so good and
22 she's still here with us.

23 And there's a lot for her to learn from -- from
24 the Department, especially historical incidents. And as
25 you know, things are still moving along as far as

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1 personnel issues, and even preparing for our budget.

2 Three things I wanted to cover before I turn it
3 over to my Executive Staff.

4 I want to thank the Department for handling the
5 protesters that dealt with -- wanted to voice their
6 opinion as far as their belief and their value, and, also,
7 to exercise their cultural divide about our Haleakala
8 volcano. And it was a tough assignment and it was a very
9 sensitive task for our members because, as you know, the
10 folks involved with it are folks that all they want is to
11 exercise their First Amendment right. They are not
12 your -- I don't wanna label folks, but they're not the
13 criminal elements of the community. They are not. You
14 know, they're just good citizens, they are family members
15 to some of our officers. And they are part of the
16 community, you know, they involved in sports activities,
17 the same sports activity that my officers have involved
18 with. And it was tough.

19 I spoke to the officers prior to deployment the
20 evening of the event, and just remind them to do what they
21 need to do and -- and follow the training and the
22 leadership of the command staff that was assigned.

23 And I want to commend the Deputy and, also,
24 Assistant Chief John Jakubczak who was the Incident
25 Commander of the whole thing. As you know, there were a

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1 lot of articles, there were a lot of questions on some of
2 our task or technique that we used. But as we review
3 the -- the videos and, also, the body-worn camera, I want
4 to reassure this body that we follow every procedures and
5 training that we had, you know.

6 So I feel comfortable with -- with the outcome.
7 And, also, if there is any future, I guess I would say,
8 feedback or litigation as a result of what we do, I -- I
9 believe we have followed every procedures we did. And I
10 want to thank them for doing that.

11 The other issue is, if you saw in the Monday
12 morning newspaper, Maui News, they talk about our folks in
13 Paia. I want to let you folks know, and, also, the
14 public, we had made a lot of adjustment to address those
15 issues.

16 The concern they have, the Office of the Chief
17 received the same concern from different communities in
18 our county, and we are addressing. The Deputy and
19 Assistant Chief John Jakubczak adjusting the
20 responsibility and some of the tasks as being assigned to
21 our community police officers.

22 One of the biggest challenge that we are facing
23 with, our community police officers are dealing with
24 homelessness, you know, right now. So what happened is
25 they spent a lot of their time addressing those issue and

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1 they formulate a task force where they -- they go to
2 different location and different areas in our county and
3 address that. And somehow, somewhere along the way, as
4 you know, is you focus on one area, somewhere is gonna --
5 you know, something -- some part of our community will
6 feel the effect of what we are doing.

7 And the folks in Paia had voiced their concern.
8 They felt that Maui Police Department neglect to do what
9 we tasked to do. But I want to reassure you folks that we
10 are -- you know, of course, even though we have this task
11 that we spent a lot of our time addressing as far as
12 homelessness, Assistant Chief John Jakubczak looked at
13 making sure that regardless of the big issue that we're
14 dealing with, we still got to address the dailies that we
15 facing with. And we making some adjustment on our
16 personnel to address those.

17 And then the last thing, I wanted to echo what
18 the Chairman has mentioned, the extra effort by our
19 officers. This morning, we kick off the Go Pink Campaign,
20 working with the Fire Department on that. And, also, they
21 did -- we closed the Food Bank Campaign. And the
22 Department did well, you know. At least we win something
23 over Fire Department. But the extra effort that our
24 officers put out there, you know, in their own time to do
25 something different than what we do -- as you all know, a

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1 lot of our tasks are not in favor by a lot of folks, you
2 know, especially come to traffic citation and enforcement
3 and things like that. But to keep the balance and walk
4 that fine line to maintain the support of the community,
5 our officers, in turn, do other things such as this to
6 help. Not only to help them, you know, to balance out
7 what they do every day, but, also, show another side of
8 the Department to the community.

9 And with that, I want to thank you folks for
10 your continued support. And I know the budget is coming
11 up. And I had a meeting with the Subcommittee Chair and
12 Members to address the budget. And we will be starting
13 next month where our bureau will come through and do their
14 proposal. And then we'll get the first draft of the Maui
15 Police Department request -- or proposing our budget for
16 FY 2019. And we'll make sure that we in constant contact
17 with the Subcommittee that have been tasked to look over
18 the budget.

19 And with that, Mr. Chairman, that's all I got.
20 If anybody has any questions. Okay. I will turn it over
21 to the Deputy Chief.

22 DEPUTY CHIEF RICKARD: Okay. Good morning,
23 Chair, Vice-Chair and Commission Members.

24 I don't really have too much to say. I just
25 want to echo what Chief had mentioned about the operation

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1 for the Danny K. Inouye Solar telescope. You know, it was
2 good to see the concerted effort among every bureau coming
3 together to address the -- not the needs, but the -- the
4 situation to ensure that both sides were able to
5 accomplish what they needed to accomplish in a safe
6 manner. So, again, it involved everyone and every bureau
7 being involved. So, again, thanks to the Assistant Chiefs
8 for making that as safe as possible.

9 Other than that, the Chiefs will give their
10 report, but I just want to send my appreciation to
11 Commission Members that attended the recruit graduation,
12 the 85th Recruit Graduation. You know, it's always good
13 to -- to -- to have the new officers see the faces rather
14 than just hear the names. And I think it's good for you
15 folks to also see who your new officers are out in the
16 community and get to -- get to know just a little bit
17 about them.

18 I know we graduated 13. That class started
19 with, I think, 22. five of those people are going to be
20 recycled to the next class due to various injuries and --
21 that they sustained in various phases of the training. So
22 they'll be rejoining the recruit curriculum with the 86th
23 through various points in that training. So --

24 And with that said -- I know I'm taking most of
25 AC Kiyota's, but that's all I have to report. So I'm

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1 going to take some -- but the 86th class also started up
2 August 7th with five recruits. So -- and I know Chair
3 Tanaka was there to address the class. So, again, they
4 will be joined, hopefully, by the additional -- five,
5 yeah -- additional five guys. And they were hoping to, at
6 least, have 10 at graduation.

7 So I know I took a lot of wind out of AC
8 Kiyota's sail, so I'll just skip over him and move to AC
9 Ramos.

10 ASSISTANT CHIEF RAMOS: Good morning, Chair,
11 Vice-Chair, Commissioners. I don't have a lot to add as
12 well.

13 The only thing I'm going to say is CID continues
14 with their -- their excellent work in pursuing follow-ups
15 with cases promoted or investigated by patrol. Right now,
16 you're seeing a lot of the cases in court. That has
17 taken, in some of these cases, months, if not years to
18 complete. That -- that's ongoing.

19 One new thing to add about CID is, currently,
20 we're working on our drone policy. And so we have three
21 officers, three detectives, that are certified to operate
22 our drones. We are expecting big things from this
23 program, especially with search and rescue, gathering
24 evidence, looking at evidence scenes and things like that.
25 So there's a lot we can do with that.

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1 Vice continues their hard work.

2 JCPD, back to school. During the summer, we did
3 a lot of special ops and coordinated with patrol. And
4 those kind of efforts are really good, cooperation amongst
5 the divisions.

6 But at the request of the Chief, because of the
7 bus situation, the lack of buses, there's an increase in
8 pedestrians at the schools, so SROs are now slotted to
9 hang out in front of the schools and act as, basically,
10 crossing guards to ensure the safety of the students until
11 this bus situation has been remedied. So that's just
12 something that we fall back on.

13 And SRT continues their training.

14 That's it. Any questions?

15 COMMISSIONER FEINBERG: I have a question. On
16 the -- this is the first we're hearing about the drones.
17 Is this in the budget or is this a -- was -- you got a
18 grant for that?

19 ASSISTANT CHIEF RAMOS: Grant. We had a grant
20 for it and -- we had two parts. One is a grant for one
21 drone and the other two drones that we got was offered by
22 Federal Government where they train our officers, certify
23 our officers, and they provide the grant -- the drone as
24 part of that training. So it's really at no cost to us.

25 COMMISSIONER FEINBERG: So you say they're gonna

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1 be used with search and rescue. And then let's say that
2 there's a -- a suspect that's running in the neighborhood,
3 they'll be able to dispatch the drone and cover the
4 neighborhood more than bring in a helicopter, which is
5 very expensive, or cordoning off the neighborhood?

6 ASSISTANT CHIEF RAMOS: Right. We could use it
7 for that situation. Or let's say if the officers are in a
8 brushed area, wooded area, they can -- drone can act as an
9 eye in the sky for them so that they're not ambushed, they
10 can see what's in front of them. There's so many
11 different uses for this.

12 COMMISSIONER FEINBERG: I think it's a great --
13 will they be armed?

14 ASSISTANT CHIEF RAMOS: No. With a camera.
15 That's funny.

16 COMMISSIONER FEINBERG: Well, that's fine. You
17 know, I mean they do have those. Thank you very much.

18 ASSISTANT CHIEF RAMOS: You're welcome.

19 CHAIR TANAKA: Any questions? Thank you, sir.

20 CHIEF FAAUMU: Assistant Chief John Jakubczak.

21 ASSISTANT CHIEF JAKUBCZAK: Okay. Good morning,
22 Chair Tanaka, Vice-Chair Hanzawa, Commissioners and
23 guests. A few things I wanted to mention.

24 And the first one, obviously, was the Daniel K.
25 Inouye Telescope. I just want to say one thing is,

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1 basically, that for the personnel that were there, because
2 I was there, they did a great job of being professional,
3 being patient and of doing their job, ensuring everyone is
4 safe, not only the protesters, but the convoy itself. So
5 they did a great job. I was very impressed with them. So
6 I would like to say thank you very much to their
7 participation in that.

8 A couple things, unfortunately, I have to
9 report. And you have the report from last month's
10 highlights. I'm going to go into something that's this
11 month. This just happened this past Monday at about 6 --
12 just before 7:00 p.m., motor vehicle accident occurred on
13 Haliimaile Road near Hoomalie Place in Haiku. The
14 accident occurred as a brown 2000 Chevrolet Tahoe
15 multipurpose vehicle was traveling south on Haliimaile
16 Road, when the operator lost control and the vehicle
17 rolled over in the roadway. The lone male operator was
18 partially ejected where he sustained fatal injuries. The
19 operator of the vehicle has since been identified as a
20 70-year-old male from Haiku. Preliminary investigation
21 reveals that he was not wearing a seatbelt at the time of
22 the incident, of the crash.

23 Okay. So that, at that time, was the fifth
24 traffic fatality of 2017 as compared to 11 this time last
25 year.

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1 Then yesterday, August 15th, approximately 2:00
2 p.m., a motor vehicle collision occurred on Makena Alanui
3 Road south of Kaukahi Street, in Makena. Collision
4 occurred as a black 2016 moped was traveling northbound on
5 Makena Alanui Road, when it crossed left of center and
6 collided into a white 2018 Chevrolet flatbed truck
7 traveling southbound. The female operator of the moped
8 sustained fatal injuries and was pronounced dead at the
9 scene. The operator of the truck, a 74-year-old male from
10 Kihei, and his passengers were not injured in the
11 collision. The operator of the moped has been identified
12 as 24-year-old female from California, a visitor.
13 Investigation revealed that the female was not wearing a
14 helmet at the time of the collision.

15 This is Maui County's sixth traffic fatality for
16 2017, as compared to 11 the same time last year.

17 So, again, back to back, very unfortunate. And
18 we continue -- obviously, the Traffic Section continues to
19 do the best they can to, hopefully, if not eliminate, slow
20 down these type of incidents.

21 Which leads me to our campaign right now. As
22 summer -- the end of summer nears, the Maui Police
23 Department will be participating in a nationwide crackdown
24 on impaired drivers. And it starts today, August 16, up
25 until September 4th. The campaign is called Drive Sober

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1 or Get Pulled Over. And there's a partnership between law
2 enforcement agencies and the National Highway Traffic
3 Safety Administration. We want to increase awareness with
4 this campaign, also see lasting results of decreased
5 impaired driving.

6 Impaired driving is not just selfish and
7 unacceptable behavior, it is deadly. Over the Labor Day
8 holiday period in 2015, there were 460 crash-related
9 fatalities nationwide. 40 percent of those fatal crashes
10 involved drivers who had been drinking. Impaired driving
11 is a massive problem in the United States with more than
12 10,000 people being killed annually. So this is a big
13 problem, not just here, but all over the country.

14 So, again, this is a -- Maui Police Department's
15 Traffic Section will be teaming up to focus on preventing
16 and apprehending impaired drivers. This includes the DUI
17 Task Force Unit, the Vehicle Homicide Unit, and the Solo
18 Bike Detail. So they will be out in force participating
19 in this campaign. So you'll start seeing a lot more
20 presence, if not already, again more so in the next couple
21 weeks. Okay.

22 And a press release has been given out. You
23 should be seeing that in campaign ads.

24 The last thing I want to mention is, this week,
25 the Hokulea will be visiting our island, on the west side

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1 it's particularly Olowalu and Honolua Bay. And we'll be
2 having officers helping with the traffic situation.
3 Traffic should be -- we're anticipating many people who
4 want to visit and board the Hokulea. And so we should
5 have a -- we will have a presence out there to ensure that
6 everyone is safe during this time.

7 That's all I have. Any questions?

8 COMMISSIONER FEINBERG: Yeah, I have a couple of
9 questions. On -- the Chief and you had mentioned about
10 the Haleakala, what was going on there. First of all, I
11 thought you guys did a terrific job.

12 ASSISTANT CHIEF JAKUBCZAK: Thank you.

13 COMMISSIONER FEINBERG: And the little bit of
14 what was put on the news was from a cell phone camera, but
15 the Chief had mentioned that it was probably one of the
16 first times you're actually using the body cams.

17 ASSISTANT CHIEF JAKUBCZAK: Yes, sir.

18 COMMISSIONER FEINBERG: And how many body cams
19 were deployed at that point in time?

20 ASSISTANT CHIEF JAKUBCZAK: The body cams that
21 we deployed was specifically for our SPEED Team and for
22 the officers involved in that. So the officers were
23 involved in a line and directly making contact with the
24 protesters, especially the ones that were in the sleeping
25 dragon configuration, those officers had body cams.

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1 COMMISSIONER FEINBERG: So you captured exactly
2 what was going on in relationship to the use of force.
3 And people would say to me, woah, what the cops -- I said,
4 you know what, they're trained to act properly, they gave
5 those people as much leeway as they could, and when they
6 laid down in the middle of the road and underneath the
7 tires and blocked traffic on -- and that -- they've given
8 them so much leeway, and then they finally came in and
9 properly lifted them up and moved them away. And if they
10 used force, the only way they used force is to -- because
11 the protesters were resisting. And -- and I know how --
12 how you're trained. And that's exactly what they did.
13 And I really commend you and the force and everybody
14 that's -- that you did a proper job.

15 Because, like the Chief said, you know, the
16 element that was doing that were not the best people in
17 the world. And they -- and -- and you did a great job.
18 So that's there.

19 But did you get good information from your body
20 cams?

21 ASSISTANT CHIEF JAKUBCZAK: And they're still --
22 at this point, I believe, we're still reviewing the
23 footage. There's a lot of, obviously, footage 'cause
24 there's so many officers who -- who were wearing the --
25 the body cam. I think there were up to approximately

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1 maybe 25 to 30 body cams that might have been employed at
2 a time. And so there's officers who are now in the
3 process of, and they have been, reviewing the video
4 footage. And the video footage that we've reviewed thus
5 far indicates that the officers there did a great job and
6 did the appropriate steps in -- in this protest.

7 COMMISSIONER FEINBERG: So according to the body
8 cams, many couple of meetings before, now is this a new
9 unit that you have that's reviewing the footage, or this
10 is just a special assignment? And how many officers are
11 reviewing the footage?

12 ASSISTANT CHIEF JAKUBCZAK: We have officer --
13 and I can mention her name, Sergeant Medeiros is the
14 officer who was helping to put this program together. So
15 she's involved in this -- this reviewing process. And
16 others will be, also, involved in the reviewing process.
17 There's no new unit per se at this time.

18 COMMISSIONER FEINBERG: Is she fully assigned
19 to --

20 ASSISTANT CHIEF JAKUBCZAK: She's part of the
21 Plans, Training and Research Development --

22 COMMISSIONER FEINBERG: Okay.

23 ASSISTANT CHIEF JAKUBCZAK: -- Section.

24 COMMISSIONER FEINBERG: So she would be sitting
25 there, reviewing. It's not like, oh, I'm looking for an

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1 hour and then I'm gonna come back and look. She's
2 actually doing it and, you know, making notes?

3 ASSISTANT CHIEF JAKUBCZAK: Well, with the body
4 cam, the footage has to be downloaded first.

5 COMMISSIONER FEINBERG: Right.

6 ASSISTANT CHIEF JAKUBCZAK: Then uploaded to a
7 computer to -- to review. So --

8 COMMISSIONER FEINBERG: It's a new thing.
9 That's why I'm asking how -- you know, how it's coming
10 along.

11 The other thing, you had mentioned about the
12 distracted driving.

13 ASSISTANT CHIEF JAKUBCZAK: Yes, sir.

14 COMMISSIONER FEINBERG: Well, your guys are
15 doing a great job. I was coming to the meeting today, and
16 I was, actually, on the phone. And all of a sudden, I
17 hear the siren and he pulls me over. And the officer,
18 plainclothes and a plain -- you know, in a -- like an SUV.
19 And I said I'm 100 -- you're 100 percent right, I'm so
20 wrong, you're -- you know. And the guy couldn't have been
21 any nicer. And what he expressed to me is that he was one
22 of the officers that had to give the notification to the
23 person that died on Haliimaile Road. And he felt so
24 strongly about it. And he didn't know who I was or
25 anything. He just was, I just want to tell you, I don't

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1 want to do that again and be careful and don't do that,
2 it's very dangerous. And the guy was just terrific. And
3 I was all ready for a ticket, but he --

4 COMMISSIONER HIRAGA: He let you go.

5 COMMISSIONER FEINBERG: He was courteous and
6 informative. And he just gave me a warning and said just
7 be careful. So your guys are out, doing the right job.
8 Because I can understand, I know where that person died.
9 And if you're on the phone and that turn comes, you know,
10 it's buh, buh, buh, buh, and they turned over. So -- and
11 thank you very much. And you guys are doing great.

12 And I met your -- is it your son or your nephew
13 that's in the -- in the class?

14 DEPUTY CHIEF RICKARD: That's my son.

15 COMMISSIONER FEINBERG: Great kid. It's only
16 four guys. I told them they're going to have to really
17 concentrate on what they're doing.

18 Also, with that class, there were three people
19 that are going to fill our 911. And I expressed to them
20 that they -- as much as you do a great job and Fire
21 Department does a great job and the ambulance does a great
22 job, they hear every call and that they have the most
23 important job in the County. And it's -- and I really
24 commended them for getting out there and wanting to do
25 that because, as we've known since I've been on the

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1 Commission, the biggest vacancy rate is in the personnel
2 at that point. And that is such an important job. And we
3 have three people doing that, which really made me feel
4 good.

5 And thank you all very much.

6 ASSISTANT CHIEF JAKUBCZAK: Thank you.

7 COMMISSIONER SANTIAGO: Wait for the ticket in
8 the mail, Larry.

9 COMMISSIONER FEINBERG: It's a good thing.

10 COMMISSIONER SANTIAGO: Wait for the ticket in
11 the mail.

12 COMMISSIONER FEINBERG: The guy couldn't have
13 been any nicer.

14 CHAIR TANAKA: What is officer's name?

15 COMMISSIONER FEINBERG: Which one? Oh, you
16 know, I -- I didn't ask.

17 CHAIR TANAKA: How can you not --

18 COMMISSIONER FEINBERG: I wasn't --

19 CHAIR TANAKA: You got the perfect forum there
20 to --

21 COMMISSIONER FEINBERG: I wasn't asking for more
22 questions, and thank you very much, thank you. I'm all
23 ready for him to say, you know, license. And I had my
24 license out, you know. So --

25 CHIEF FAAUMU: Assistant Chief Sterling Kiyota.

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1 ASSISTANT CHIEF KIYOTA: Good morning, Chair,
2 Vice-Chair and Members of the Commission.

3 As the Deputy mentioned, 13 recruits from the
4 85th Recruit Class graduated on August 2nd. They are now
5 in the FTO phase of their training. And I just wanted to
6 thank all the Commissioners who attended that graduation
7 ceremony.

8 The 86th Recruit Class started on August 7. The
9 class consists of five police recruits and three emergency
10 services dispatchers. The -- the recruits currently are
11 in traffic control portion of the training right now.

12 The 2017 Cop on Top fundraiser for Special
13 Olympics starts tomorrow at 8:00 a.m. and ends on Saturday
14 at 5:00 p.m. The event will be held at the Kahului
15 Walmart, all Safeway locations, and the Rawlins Chevron on
16 Molokai. This -- the event was held on Lanai this past
17 Friday and Saturday, in which they raised \$929. The goal
18 is to raise 20 -- a total of \$20,000. All the money
19 raised will be designated for -- for the Maui, Molokai and
20 Lanai Special Olympics program.

21 Our Go Pink Cancer Awareness Campaign, like the
22 Chief mentioned, the photo shoot was this morning, actual
23 kickoff would be September 23rd with the Battle of the
24 Badges softball game, at which time they will also be
25 selling the T-shirts.

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1 That's all I have. Thank you. Any questions?

2 VICE-CHAIR HANZAWA: How much are the T-shirts,

3 10?

4 ASSISTANT CHIEF KIYOTA: \$20.

5 CHAIR TANAKA: \$20.

6 COMMISSIONER HIRAGA: 20.

7 CHAIR TANAKA: 20.

8 COMMISSIONER HIRAGA: Yeah, gone up.

9 DEPUTY CHIEF RICKARD: Unless you pay

10 (inaudible).

11 CHAIR TANAKA: Yeah, we got it in the email.

12 No, no, no. It's --

13 COMMISSIONER HIRAGA: The shirt? The Go Pink

14 comes up every year. Go Pink is --

15 CHIEF FAAUMU: Okay, Ms. Magonigle.

16 MS. MAGONIGLE: Okay. Good morning, Chair.

17 CHAIR TANAKA: Good morning.

18 MS. MAGONIGLE: -- Vice-Chair, Commission

19 Members.

20 For the budget report, we have it ending

21 6-30-17, so that's pretty much ending the fiscal year. So

22 that will give you an idea of the funds that were expended

23 throughout FY 17. We ended up with an overall six percent

24 balance. So -- and then we can use that as we develop our

25 FY 19 budget request as well. So we can analyze that and

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1 use that as historical as we develop the future budget.

2 Also included, based off last month's
3 discussion, I included the CIP.

4 COMMISSIONER HIRAGA: I saw that. Thank you.

5 MS. MAGONIGLE: And the grant information as
6 well.

7 So with the grants, the funds are going to be
8 expended at different times throughout the year. So as
9 mentioned, we have different campaigns and different
10 conferences that come up throughout the year. So there's
11 no specific time that the money will be pulled. So we can
12 provide balances throughout the year, if needed, but we
13 just provided the list of all the grants that MPD is
14 involved with and the overall balance starting off.

15 For the staffing report, I highlighted pretty
16 much the two areas that have the most vacancies and that
17 we do have open recruitment on. So that is with the sworn
18 positions, the police officers and then the dispatchers.
19 So those are the two areas I highlighted in the vacancy
20 report.

21 The cut-off date is July 31st for this, with the
22 financials, it's June 30th. So we did have two
23 dispatchers that were hired, August -- one August 1st, one
24 August 4. So that is not going to be in this report, but
25 it will be highlighted in next month's report.

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1 So we are still doing recruitment. As
2 mentioned, we are still hiring and we'll just adjust the
3 numbers each month as the meetings come along.

4 We do have 11 conditional offers right now in
5 various stages. So as mentioned, we do continue with the
6 hiring process, you know, throughout the year.

7 So are there any questions? That's all I have.
8 Yes.

9 VICE-CHAIR HANZAWA: I have a question, Melissa,
10 on the handling of certain items, such as the body-worn
11 cameras. I realize there have been grants given to Maui
12 County to purchase the cameras. How are the impacts of
13 the items, the cost items reflected in the financials,
14 given that there are grants?

15 MS. MAGONIGLE: Usually -- well, we manage the
16 grants. So, usually, as it comes in, we'll pull the money
17 from the grant balances.

18 VICE-CHAIR HANZAWA: So if the purchase -- is a
19 purchase reflected in -- in the financials and then, in
20 the next month, is it subtracted out by the grant money?

21 MS. MAGONIGLE: It's usually subtracted from the
22 grant.

23 VICE-CHAIR HANZAWA: Oh.

24 MS. MAGONIGLE: From the grant money.

25 VICE-CHAIR HANZAWA: So directly from?

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1 MS. MAGONIGLE: Yes.

2 VICE-CHAIR HANZAWA: From the grant?

3 MS. MAGONIGLE: Directly from.

4 VICE-CHAIR HANZAWA: So would we see it?

5 MS. MAGONIGLE: We would -- pretty much for
6 right now, we just stuck to the overall balance, but we
7 could try to do that, where we pull, give the up-to-date
8 balances on each of the grants.

9 VICE-CHAIR HANZAWA: Yeah, if it's not too much
10 work.

11 MS. MAGONIGLE: Okay. We can do that. Yeah,
12 this is new -- it was just requested last month. So based
13 on guidance, we can adjust the format based on what the --
14 the Police Commissioners and you would like to see.

15 VICE-CHAIR HANZAWA: All right.

16 CHAIR TANAKA: Yeah. So like what you have
17 given us --

18 MS. MAGONIGLE: Yes.

19 CHAIR TANAKA: -- it's just an extra column on
20 the spreadsheet that says subtracted X amount.

21 MS. MAGONIGLE: Yes. We could do that. We did
22 this as a baseline, just to see, and we can adjust just
23 as --

24 CHAIR TANAKA: Thank you.

25 MS. MAGONIGLE: -- you would like to see.

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1 CHAIR TANAKA: Thank you.

2 MR. UEOKA: Yeah. Chair, from a budgeting
3 standpoint, grant revenues and stuff are separate.
4 They're not part of the normal operating budget for the
5 County. So they are separate, but, of course, they keep
6 track of it.

7 VICE-CHAIR HANZAWA: Yeah. Sure.

8 MR. UEOKA: Just FYI.

9 CHAIR TANAKA: Thank you. Go ahead.

10 COMMISSIONER HIRAGA: Thank you, Melissa. And I
11 know Deputy Rickard, at the last meeting, said that it
12 will be included in future reports. And you did it, so
13 thank you very much. I do have a question on the CIP.

14 MS. MAGONIGLE: Yes.

15 COMMISSIONER HIRAGA: On Page 1, the carryover
16 savings for the \$150,000 and the lapsing. So can you
17 explain that?

18 MS. MAGONIGLE: Yeah. So that -- so for the
19 CIP, it goes 18 months.

20 COMMISSIONER HIRAGA: Yes.

21 MS. MAGONIGLE: So there are projects that still
22 need to be completed from FY 17. So some of the
23 projects -- actually, that -- that balance amount, like I
24 said, this was pulled June 30th, so that amount is already
25 lower. It's down to about \$650,000 right now. So they

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1 had the incinerator in Kihei that they were working on,
2 the renovation at Records Section. Some other projects
3 that are still from FY 17 carry-overs in that balance
4 amount include the Dispatch Center renovation and the
5 parking lot repaving. So there's still projects from FY
6 17 that are still being worked on from FY 17 funds that we
7 have until the end of this calendar year. So the projects
8 are with consultants, so they are being worked on. So
9 those funds are to complete those projects.

10 For FY 18, some of the projects --

11 COMMISSIONER HIRAGA: Before you continue --

12 MS. MAGONIGLE: Yes.

13 COMMISSIONER HIRAGA: So the lapsed amount of
14 73,000 --

15 MS. MAGONIGLE: Oh, yes.

16 COMMISSIONER HIRAGA: Yeah.

17 MS. MAGONIGLE: Okay. That was for the police
18 cottages on Molokai.

19 COMMISSIONER HIRAGA: So it wasn't necessary to
20 do those -- to do that or it was extra money?

21 MS. MAGONIGLE: I'll have to follow up on --

22 COMMISSIONER HIRAGA: Okay.

23 MS. MAGONIGLE: -- that, then. I'll follow up
24 on that.

25 COMMISSIONER HIRAGA: Just curious.

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1 MS. MAGONIGLE: Because I thought they had
2 completed that, that project.

3 ASSISTANT CHIEF JAKUBCZAK: It was completed --

4 MS. MAGONIGLE: Okay. Yeah.

5 ASSISTANT CHIEF JAKUBCZAK: -- at a lower cost.

6 COMMISSIONER HIRAGA: Oh, okay.

7 MS. MAGONIGLE: Thank you.

8 COMMISSIONER TSAI: As a follow-up -- I'm sorry.

9 COMMISSIONER HIRAGA: No. Go ahead.

10 COMMISSIONER TSAI: Melissa, thank you for
11 preparing this report. So can you please explain the
12 difference between amount elapsed and then encumbrance? I
13 mean, which is left over, what is -- what does it
14 designate?

15 MS. MAGONIGLE: The amount lapsed versus
16 encumbrance -- encumbered. I believe the cost on some of
17 the projects ended up being more, so more was encumbered.
18 But I can follow up on that, too, with the accountant.

19 COMMISSIONER TSAI: Thank you.

20 MS. MAGONIGLE: And even with this report as
21 well, I can provide more detail. Like I said, this was,
22 you know, a --

23 COMMISSIONER HIRAGA: First time.

24 MS. MAGONIGLE: -- new report.

25 COMMISSIONER HIRAGA: Yeah.

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1 MS. MAGONIGLE: So we'll put more details as --
2 as we continue adding this report into the --

3 COMMISSIONER HIRAGA: Thank you.

4 MS. MAGONIGLE: -- meetings.

5 COMMISSIONER TSAI: And, also, if I may ask, the
6 grant report is great, it has all the amounts and the
7 dollar items and so forth. Is there a way that you can
8 correlate to the budget, where it's reflected in the
9 budget?

10 MS. MAGONIGLE: Yes, we'll work on that. Yeah.
11 This is separate from the budget. Usually, the grants are
12 different funding.

13 COMMISSIONER TSAI: Right.

14 CHAIR TANAKA: So it's two totally --

15 MS. MAGONIGLE: Two separate --

16 CHAIR TANAKA: -- separate entities.

17 MS. MAGONIGLE: Yes.

18 CHAIR TANAKA: Yeah.

19 COMMISSIONER TSAI: And it shows which, I guess,
20 bureau it falls under, is that how -- I mean, I'm just
21 trying to --

22 CHIEF FAAUMU: Yeah, we can do that.

23 MS. MAGONIGLE: That, we can do.

24 COMMISSIONER TSAI: Yeah.

25 MS. MAGONIGLE: Yes.

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1 COMMISSIONER TSAI: So -- because, yeah. Thank
2 you.

3 CHIEF FAAUMU: Anything else?

4 Well, Mr. Chair, that conclude our -- my report
5 and the Executive Staff report, but I just want to
6 summarize what we went through.

7 Going back to the protesters, I also want to
8 thank the community for their support. Even those that
9 were out there protesting, the dialogue that we had with
10 the protesters and, also, from the community was -- was
11 positive. Of course, there are a few that -- like
12 anything else, that will allow the -- well, let me back
13 up. You know, some were very passionate about their
14 belief and their practice. So as you can see, it was
15 through the action that resulted in that.

16 I would also like to provide this body with just
17 a dollar amount what it cost the Department. What it cost
18 us for this operation was over \$35,000 in premium pay, and
19 whatever that we need to make sure it was a successful
20 operation.

21 I want to touch up on the body-worn camera. The
22 body-worn camera, we, basically, sign off on everything,
23 the contract, as was mentioned earlier on, but where we
24 are right now is the training phase. Because of this
25 upcoming operation, we focused our training on the Special

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1 Emergency Enforcement Detail. And that's the Speed Team.
2 They are the front line -- well, let me back up. They are
3 the last resources that we resort to if we -- if a patrol
4 element unable to control it. And so through assessment
5 by the Deputy and Assistant Chief John Jakubczak, we
6 believe if we can train up the Special Enforcement Detail,
7 they should be the one that have the body-worn camera
8 until the rest of the Department get into it. So right
9 now, we going through that.

10 The other concern that you have about the unit
11 that need to monitor that, right now, the unit that
12 monitor that is our Plans and Training, Research and
13 Development, as was mentioned by Assistant Chief John
14 Jakubczak. They received the training. They were the
15 core unit that did the study, the R&D, to get us to this
16 point. So, therefore, we believe, until we establish a
17 unit dedicated for that purpose to meet the demand of the
18 requests for the video, it should be -- with the different
19 hats they wear, they should be able to sustain the demand.

20 So the individual that's responsible for it, she
21 was on the front line as the Special Emergency Enforcement
22 Detail, she was one of the sergeant on the line, and she
23 was, also, the coordinator of the recruit training. That
24 you saw her at -- and she was also running, checking the
25 footage for us, you know, for me, when we receive more

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1 video and demand from the media and, also, from the
2 public. As we review it, we learned that our officer
3 acted appropriately.

4 But for your information, any time a request
5 come in for video from the body-worn cam, policy in place
6 that we have right now, we are not to release any video
7 until we get approval from the Office of Corporation
8 Counsel. However, if there is -- if the demand is there
9 and the incident will have a cause effect to the
10 community, we will then pull it, even though the
11 investigation is continuing, and send it up to Corp
12 Counsel and says, look, we need to produce something
13 because the outcry of the community, they need an answer
14 to that. So we will provide on high-profile incidents.

15 So that's where we are with the body-worn
16 camera.

17 And with that, Mr. Chair, that's -- other
18 questions?

19 VICE-CHAIR HANZAWA: I have a question, Chief.
20 Early on, you had also mentioned about the homeless
21 problem.

22 CHIEF FAAUMU: Uh-huh.

23 VICE-CHAIR HANZAWA: And I'm curious because --
24 and I feel for the Department because you're addressing
25 the complaints about the things that happen caused by the

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1 homeless people, but it's like, for a disease, you're
2 addressing the symptoms. I'm curious as to what efforts
3 there have been and that you're aware of by the State and
4 County officials, by social services, in how this problem
5 can be further addressed.

6 CHIEF FAAUMU: Okay.

7 VICE-CHAIR HANZAWA: It's not a problem only
8 with Maui, of course, other communities are involved with
9 it, but it's increased so much in the last 10 years. And
10 it's a problem that really needs addressing on a wide
11 level, broad level.

12 CHIEF FAAUMU: Okay. Thank you. That is a good
13 question.

14 And let me just take you back. If you remember,
15 a year ago, Governor Ige talked about the homelessness and
16 I believe she -- he set funding on the side to address
17 those issues. And, of course, our mayors throughout the
18 state support that effort.

19 What the Maui Police Department did, we got
20 back, talked to the Deputy and the Executive Staff and see
21 how we can contribute to the effort to address this issue.
22 Because we know the bottom line, at the end of the day,
23 when -- as we try to come up with solution, the issue is
24 still there, the outcry from the community were there, and
25 then we need to address those concerns.

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1 We came up with a idea of applying for a grant.
2 Through research and development, we learned COP's grant,
3 Community Oriented Policing grant, were available to hire
4 five -- five officers -- or to hire additional officers to
5 address some of these issues, you know, that we are
6 dealing with. We did. We applied.

7 And we also formulated a unit that is -- through
8 our reorganization, planning, is still up for approval
9 from the management and, also, budget and DPS. But we
10 formulated a unit. And the unit is -- it's CORE, C-O-R-E.
11 It stands for Critical Outreach Through Education. So the
12 CORE unit, what we wanted them to do is to address those
13 issues because we know there are those that have hard
14 times. And we work -- the CORE unit works side by side
15 with Department of Housing and the County and other
16 resources available out there for those that really need
17 those. But then, of course, you have those that just want
18 to be out there, just leave me alone, I'm enjoying myself,
19 I'll be out in the beach, I'll do anything we want. And
20 that small fraction of group or individual or the
21 population is really the majority of the complaint that we
22 are dealing with.

23 What does the CORE unit do? They work side by
24 side with the stakeholders addressing the homelessness.
25 They also work with their -- in fact, they getting

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1 involved now, as they working through, with the Drug
2 Court, they working with Judge Cardoza.

3 We believe that if we are in the front end and
4 prevent the substance abuse from getting out of
5 (inaudible), then win-win situation. This is more of a
6 prevention. They also do -- they work with the
7 communities. I think, if you -- with some of the concern,
8 you know, the Canoe Club and other communities, you know,
9 when they have concern, they'll go out and work with them.
10 They even work side by side with nonprofit organization,
11 you know, just to clean up. You know, when nobody else is
12 available to move some of these things, you know, they are
13 out there with the community and loading up the dump truck
14 with all the -- you know, the stuff that they find out
15 there they left behind, these folks. And they, also, want
16 to try to see if we can -- you know, as you know, when
17 these folks go through the system, see if we can create a
18 diversion program.

19 Maui Police Department had a -- what do you call
20 it -- a jail -- pre-jail diversion program. So when you
21 come across someone with mentally challenge, we work side
22 by side with the Judiciary, the Public Defenders and the
23 Prosecutor's Office. And we address -- and, also, the
24 Department of Health. And we address these issue. So
25 this individual would then go the other route instead of

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1 going through the criminal system. Because if they go
2 through the criminal system, that's the beginning of a
3 contempt of court and on and on.

4 So that's what the CORE unit is doing and that's
5 what the Maui Police Department is doing.

6 They have -- even have -- a special operation is
7 street beautification, you know, where they go out, if,
8 you know, they see encampment, they work with the folks
9 and give warning, they get to know them in person, and
10 says think you need to move on. And they work side by
11 side with even big property owners, allowing us to get
12 into the property and also allowing us to give them input
13 on how to make sure that their property is not attractive
14 to folks.

15 So those are some of the things that we are
16 doing right now.

17 We hoping we can spend that money, but, of
18 course, we have to go through -- let me back up. The
19 Mayor approved the money, but we have to go through
20 Council to make sure that that money is approved. And if
21 the money is not approved, then we'll return the money and
22 then we'll -- we'll continue doing what we doing with what
23 we have.

24 I hope that answers your questions.

25 VICE-CHAIR HANZAWA: Yes, it does. So it,

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1 actually, is costing the Department and the County
2 additional monies because of the increase in homelessness?

3 CHIEF FAAUMU: Yes, Vice-Chair.

4 VICE-CHAIR HANZAWA: And a follow-up question
5 is, what kind of training do these officers have in terms
6 of dealing with mental illness?

7 CHIEF FAAUMU: We have crisis intervention
8 training. We were the first agency in the state that had
9 that training, where we have police officers trained.
10 They go through a 40 hours training to -- to recognize and
11 address. So if they come across a individual that -- in
12 that -- close to that category, they can -- they will
13 recognize -- you know, the basic questions they ask, once
14 they recognize that, then they'll switch the type of
15 dialogue and questions they have, not to incite that
16 individual to react in a violent behavior.

17 So I know that Assistant Chief Sterling Kiyota
18 is looking for some funding to start to do a class before
19 the end of the calendar year where we bring in the expert
20 from the Department of Health and the other agencies to do
21 that. It's a, I would say, collaboration effort on
22 everybody's part, you know, because even -- even the
23 class, past graduation, we have judges that sit on it,
24 prosecutors, we have folks from the hospitals, security
25 personnel from the hospital, correctional facility, you

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1 know, they are part of this training. So it helps us
2 because what we don't want is an individual that has
3 mentally challenge react in a normal reaction, which is
4 interpreted by a police officer as a violent behavior.
5 You know, we have to react based on the training. And
6 sometimes the end result is not something that we want,
7 but we try to avoid that.

8 VICE-CHAIR HANZAWA: Thank you.

9 COMMISSIONER FEINBERG: Yeah.

10 CHAIR TANAKA: Go ahead.

11 COMMISSIONER FEINBERG: You're the Chair.

12 CHAIR TANAKA: I have a question. CIT
13 certified, I guess, is the -- would be --

14 CHIEF FAAUMU: Yeah.

15 CHAIR TANAKA: How many officers -- about how
16 many officers are certified at this time?

17 CHIEF FAAUMU: Mr. Chairman, I don't have the
18 exact number, unless any of my staff knows. We -- we will
19 respond to you.

20 CHAIR TANAKA: I mean, ideally, every officer
21 would eventually, is that --

22 CHIEF FAAUMU: That's our goal.

23 CHAIR TANAKA: That would be a goal?

24 CHIEF FAAUMU: Yeah. And we'll go through. But
25 what we are focusing on is our front line and, also, is on

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1 a voluntary basis. You know, we put out the posting and
2 then folks apply and put in. So we have different folks
3 that have different assignment in the Department to help
4 respond.

5 CHAIR TANAKA: Thank you. Larry, you had a --

6 COMMISSIONER FEINBERG: Yes. Chief, you brought
7 up the Paia incident. And I had spoken to a shop owner in
8 Paia. And they told me a story that there was a homeless
9 disturbing them and coming in and making a ruckus in their
10 store, and then one of the tourists, they asked them to
11 leave. And then the wife of the tourist said to the
12 husband, "You better tell them the story." And he
13 happened to be an officer from California. And he says,
14 "That guy, I personally escorted him to the plane and put
15 him on a plane to Maui." And that happens a lot to where
16 we're getting the dregs of California and Washington and
17 Oregon that they're sending here to live on our beaches
18 and suck off of our -- our wonderful community that gives
19 them, you know, homes and food and money. And it's -- you
20 know, the people that are -- that grew up on Maui and
21 they've befallen on hard times, I'm 100 percent for taking
22 care of them, but the people that just fly in, in other
23 communities, municipalities that send them our -- their
24 junk, to send here, to live here, and it becomes your
25 problem, all of our problems. But you guys are on the

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1 front line. It's a shame that they can't get a grant to
2 get tickets and fly them back. That's one thing.

3 Another thing, either you or Chief Jakubczak,
4 people have said to me, and especially in the report on
5 the Haleakala incident, that the person that was injured
6 or whatever, that he lost consciousness, and it was
7 reported that it took 20 minutes for an ambulance to get
8 to the scene. A, I wanted to know how come there wasn't
9 an ambulance there with you guys or first responders. And
10 where it is and where the fire department is, it's not
11 even a quarter of a mile away. Why would it take 20
12 minutes to -- to -- for a response?

13 CHIEF FAAUMU: I'll let Assistant Chief John
14 Jakubczak, who was at the scene --

15 ASSISTANT CHIEF JAKUBCZAK: Thank you, Chief.

16 As far as the ambulance being on scene,
17 obviously, as we making our plans for the protest, having
18 an ambulance there could send the wrong message, that we
19 are looking at having injuries --

20 COMMISSIONER FEINBERG: I understand.

21 ASSISTANT CHIEF JAKUBCZAK: -- in an incident.
22 So we're trying to downplay or minimize that type of a
23 message to everyone involved. You know, we're not there
24 to have anyone injured. You know, we would love to go
25 through that whole incident and not have anyone hurt.

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1 And, obviously, it was going that route until
2 circumstances dictated that now we had to call for an
3 ambulance. We did call the -- our Lieutenant in charge of
4 the Special Operations contacted the -- our dispatcher to
5 send an ambulance as soon as he was made aware of the
6 injury or the person being incapacitated. And a ambulance
7 was dispatched. So I'm not sure exactly what the -- from
8 that point on, the reasoning why a -- the ambulance wasn't
9 there a little sooner, but we did reach out and make that
10 call very soon after the injury was discovered -- or the
11 incapacitation was discovered.

12 COMMISSIONER FEINBERG: Thank you very much,
13 Chief.

14 COMMISSIONER SANTIAGO: I have a question,
15 Chief. Regarding the mental illness issues, I been kind
16 of out -- out of the loop for a while, so I'm not really
17 sure exactly on the -- on the training levels, but I know
18 a lot of the specialized units, you know, they have those
19 skills. But as far as having those trainings in recruit
20 training, is this something that's available to the
21 officers at that -- that level? Because I'm finding more
22 and more, of course, they're, you know, dealing with
23 mental illnesses on the street in their everyday patrol.
24 And lot of the cases that they get and they respond to,
25 you know, deals with, you know, some level of mental

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1 illness. So I'm just kind of curious to see if, you know,
2 that is part of the training, yeah.

3 CHIEF FAAUMU: Thank you, Commissioner.

4 If I may just add on to what Assistant Chief
5 John Jakubczak and respond to Commissioner Feinberg's
6 questions. Commissioner, we had a tactical dispatcher
7 assigned to the operation. What that meant is that
8 dispatchers only respond to us. So in case you think
9 that, well, you know, in the dispatch -- in the Dispatch
10 Center, they answer everything, but when we have operation
11 like this, we have dispatchers assigned strictly to our
12 need. And so the request went through our tactical
13 dispatchers.

14 Now going back to your questions. It was
15 something that we always think about as we do an
16 assessment and evaluation, whether we -- is it -- are we
17 going to save money by training our recruits, and, as they
18 go out, are they gonna be able to use it. Some of the
19 concern, as you know, those that go through the recruit
20 class might not end up -- well, end up separating from the
21 Department. So through the demands of the community and
22 the need to train our officers to meet the demand, our
23 assessment and what we believe through research, the folks
24 on the front line need their tools, they need their
25 training right now. So when we have money that we can

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1 save up or we set aside, we then have a training.

2 I would like to run at least one CIT training
3 twice or three times a year, but it's based on what we can
4 afford. Because we have to bring in -- even though we
5 have subject matter expert from the Department who will be
6 going through it, but it's not our field. You know, it's
7 more in the Department of Health field. So we still need
8 to bring subject matter expert from the Department of
9 Health in conjunction with our subject matter expert from
10 the law enforcement side. And, also, other folks that --
11 you know, like a halfway house and other organization,
12 where we work together and train our officers.

13 So our assessment, we train our front line.

14 COMMISSIONER SANTIAGO: Thank you, Chief.

15 CHIEF FAAUMU: Thank you, Commissioner.

16 COMMISSIONER TSAI: I have a question. Chief,
17 you're talking about the \$35,000 it cost to -- for the
18 Haleakala, I guess, situation. I'm trying to understand
19 the process. Obviously, you don't have -- you know, I
20 don't know how many people -- excuse me -- as seeing how
21 many police officers. What's the process in terms of
22 having a situation like that? Do you guys ask to
23 volunteer to be at this? I assume this is all overtime
24 because, I mean -- and we have other situations where, you
25 know, if Michelle Obama is in town, you got to -- things

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1 like that. How does the Department handle, what's the
2 process for that?

3 CHIEF FAAUMU: Thank you. What we do first is
4 we assign the unit trained for that purpose. In this
5 case, it's a Special Emergency Enforcement Detail, Speed
6 Team. We have over 30 individuals trained for that
7 purpose. So they are the folks that we deploy. And then
8 we need folks to -- like in this case, the protesters were
9 out there at 6:00 p.m., at the intersection, but we need
10 people to -- we need officers to make sure that they are
11 safe and so -- safe to -- for them and, also, for the
12 motorists. So we sent up officers for that.

13 So your question is, are they on a volunteer --
14 voluntary basis. Well, it's more like a voluntold where
15 you have no choice in the matter, you will. And, also, we
16 look at their -- we look at the assignment and their level
17 of experience, you know, where we make sure that we're not
18 going to put a newly recruit in front of these folks
19 because, you know, all the newly recruit knows is get
20 back, and, you know, nothing happened, the taser will come
21 out. But then you'll have -- so we put -- it's one of
22 those things that Assistant Chief John Jakubczak do, is
23 look at how to make sure the assignment matches with the
24 experience of the individual assigned. But, also, we need
25 field commanders, team leaders. And then in this case,

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1 due to the magnitude of the incidents, we need an Incident
2 Commander. That's according to our General Orders on all
3 unusual occurrence, you know. So that requires a star or
4 two stars in this case, yeah, an Assistant Chief, to be
5 the Incident Commanders.

6 So it costs a lot of money for those folks, but
7 then, you know -- but I need them. They have to be there,
8 you know. Of course, I showed up, me and the Deputy, but
9 we get for love, we work for love. But the Assistant
10 Chief, no, they come under Civil Service, so we -- we must
11 make sure we compensate them. And we, also, did. So
12 things that used to handle by, let's say, a Sergeant or a
13 Lieutenant on a daily operation, when something like this
14 happen, then we up the responsibility. So it's gonna be
15 an Assistant Chief in charge and then come down to a
16 Captain. And then a situation usually run by a Sergeant
17 on a daily basis will be run by a Lieutenant. So those
18 are highly trained, experienced individual at a cost,
19 premium cost.

20 COMMISSIONER TSAI: I'm glad to hear that we
21 have an emergency response team, SPEED, I guess you called
22 it.

23 CHIEF FAAUMU: Yes.

24 COMMISSIONER TSAI: Just great. I feel safer
25 that way. Is that to equivalent to mainland's SWAT team

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1 or something like that? Do we have --

2 MR. UEOKA: Chair, if I may? Kind of getting a
3 little bit off of your agenda today. If there's specific
4 questions you want to address, possibly make them as a
5 presentation, ask for an agenda item at a later meeting.

6 CHAIR TANAKA: Okay.

7 COMMISSIONER FEINBERG: But I still have a
8 question for the Chief. It's the Chief's Report, correct?

9 MR. UEOKA: Yeah.

10 COMMISSIONER FEINBERG: We're still under
11 Chief's Report.

12 MR. UEOKA: Absolutely. It's just --

13 COMMISSIONER FEINBERG: And I had a question for
14 the Chief.

15 MR. UEOKA: -- specific items you have, it's --

16 COMMISSIONER FEINBERG: It's under police --
17 it's under the Chief's Report and I have a question for
18 the Chief.

19 MR. UEOKA: I'm not arguing with you.

20 COMMISSIONER FEINBERG: Okay.

21 MR. UEOKA: Just saying you're -- the agenda
22 says --

23 COMMISSIONER FEINBERG: And he --

24 MR. UEOKA: -- what it says.

25 COMMISSIONER FEINBERG: -- was asking a question

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1 of the Chief.

2 CHAIR TANAKA: You -- you -- you got your
3 answer?

4 COMMISSIONER TSAI: I can ask. It's a simple
5 question, I guess. I have asked you a question about
6 staffing, so I assume that's on the agenda because that's
7 part of the --

8 MR. UEOKA: Staffing item.

9 COMMISSIONER TSAI: So I do -- you want to go
10 first, Larry?

11 COMMISSIONER FEINBERG: Chief, in the news
12 recently, yesterday and the last couple of days, the thing
13 that happened with Charlottesville, in that there are
14 people that are rabble rousers, crazy people, extreme
15 right, extreme left, whatever. Do you have a unit -- or
16 do you clock those kind of people, do you follow them? I
17 don't know if there are any because this is Maui, but
18 there might be. And do you actually, you know, monitor
19 them, if -- if you have any kind of system for that, if
20 there's a unit for that.

21 You know, being a -- you know, Jewish, one of
22 the things that they did that they -- you know, they were
23 about blacks, but most of it was about, you know,
24 antisemitism. And even though we have a small Jewish
25 population here on Maui, you know, I worry about that.

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1 And just wanted to know if you guys are -- hopefully, we
2 don't have that, but do you have anything in place?

3 CHIEF FAAUMU: Yes, Commissioner.

4 COMMISSIONER FEINBERG: Thank you.

5 CHIEF FAAUMU: We do. Our Criminal Intelligence
6 Unit, that falls directly under the Deputy Chief, report
7 directly under the Deputy Chief, do track what is going on
8 locally and nationally and even international. So we --
9 they are part of the national intelligence community.

10 And then they -- also, part of -- part of being
11 in the national intelligence community, they do track any
12 threat that will -- any threat to the county or to the
13 state. And they brief. Because some of the intel is --
14 you must have a security clearance for it. Being that the
15 Deputy and I have security clearance, so they brief us.
16 But then just above us, on the executive level, on the
17 executive level -- that was at the operating level. On
18 the executive level, the Deputy and I are part of the
19 executive level intelligence community. That is hosted by
20 the FBI. And every so often, they -- well, we meet every
21 quarter. And then in case there is any threat or
22 anything, then we will be called upon to fly over to
23 Honolulu for a briefing.

24 But we do track. And hope that we assure you
25 that we don't just set it on the side. It's tracked on a

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1 daily basis.

2 COMMISSIONER FEINBERG: Thank you very much.

3 Just wanted to know, you know, how it works.

4 CHIEF FAAUMU: Thank you.

5 CHAIR TANAKA: Max, you had a follow-up
6 question?

7 COMMISSIONER TSAI: Yeah, I have a question.
8 Before I state my question, just as a follow-up to Corp
9 Counsel, I'm well aware of following the meeting agenda.

10 MR. UEOKA: Yeah.

11 COMMISSIONER TSAI: You know, and not deviating
12 from it; however, I think that if a question rises from,
13 for example, Chief's Report, that's on the agenda, and
14 (inaudible) that result from it, I think, is allowed.

15 MR. UEOKA: I would say the difficulty on this
16 matter -- and we can discuss it, with advice of counsel,
17 under Executive Session further, if you like. But
18 generally speaking, it's so people will know what to show
19 up to a meeting, if they're interested in the matter and
20 they want to listen in. I know this is televised. We
21 have verbatim minutes.

22 COMMISSIONER TSAI: Yeah.

23 MR. UEOKA: It's available, but -- however, if
24 you're going to get into specifics on something like --
25 asking for clarification on something that was reported is

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1 one thing. Asking for background and more information on
2 something else, a little bit more in depth. This body
3 might, for Sunshine reasons, in case the community is
4 interested, want to agendize it as its own agenda item,
5 specifically for the public's information. Of course,
6 it's your meeting, you guys can do what you need to do,
7 but just bringing up that fact.

8 COMMISSIONER TSAI: Understood. Thank you.

9 So, Chief, regarding staffing, obviously, we
10 have known for a while that there is some vacancies, in
11 the reports and so forth. I'm talking to several people
12 from other municipalities on the mainland. And they asked
13 like do we have -- are we allowed to have reserves to, you
14 know, fill in the gaps that the vacancies --

15 CHIEF FAAUMU: Thank you, Commissioner. It is
16 in the discussion by the Executive Staff, is -- right now
17 is -- where we are is in the research, the R&D phase.
18 We're looking at policies. We have reached out to
19 agencies and, also, within our state, Honolulu responding,
20 the Big Island, and getting more information for that
21 purpose. So we want to make sure that whatever we receive
22 from them, we can look at it. And, also, is -- be able
23 to -- for myself as a Chief, as I'm thinking in the same
24 line as you, is to make sure that my staff can foresee the
25 direction and the vision on where we are going with the

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1 reserve program and make sure it serve its purpose. But
2 it is in the discussions to address some of -- not
3 necessarily the man -- the manpower issues, but more to
4 address some of the -- some of the special concern for the
5 community, you know. If we have reserve officer that they
6 are required to work so many hours, I don't know -- have
7 that -- a month. So these folks will then address some of
8 the needs, you know. We'll address our training needs, we
9 address. So we do have things that we believe that we can
10 use reserve for that purpose.

11 COMMISSIONER TSAI: Oh, good. I'm glad to hear
12 that.

13 And just one last question. To expand on that,
14 I know there's some friends of mine, also, who are over
15 50, but very healthy. And is there a maximum age limit
16 for that? Because they would love to, you know, join --
17 join the force, if possible.

18 ASSISTANT CHIEF JAKUBCZAK: No age limit.

19 CHIEF FAAUMU: Again, it's still in research and
20 development phase, you know. We -- no age discrimination.
21 And, again --

22 COMMISSIONER TSAI: I'll tell them.

23 CHIEF FAAUMU: -- anybody can apply for it. And
24 that's where we are right now is to do the R&D to make
25 sure that it's within our means, what the County can

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1 afford to pay, and how we will go about, you know --

2 COMMISSIONER TSAI: Great. I'll tell them to
3 apply.

4 MR. UEOKA: There's nowhere to apply.

5 COMMISSIONER FEINBERG: Well, isn't there --

6 MR. UEOKA: There's nothing to apply for, right?

7 CHIEF FAAUMU: Yeah. Right now, there's nothing
8 to --

9 COMMISSIONER TSAI: Right. In its -- yeah.

10 COMMISSIONER FEINBERG: But isn't there an
11 active community patrol in Kihei?

12 CHIEF FAAUMU: That is the Citizen on Patrol.

13 COMMISSIONER FEINBERG: Citizen -- yeah.

14 CHIEF FAAUMU: Right. It's one of our auxiliary
15 program. The folks that sign up for that is they
16 volunteered to go out on patrol, and, when they come
17 across any suspicious or criminal activity, they will
18 contact the police. They go through some training, but
19 majority of our Citizen on Patrol folks are or were law
20 enforcement. They have law enforcement experience in the
21 past. Just nice good folk wanted to do something for
22 their community to --

23 COMMISSIONER FEINBERG: No. I remember reading
24 about it for, you know, a number of years. And when I
25 came to the Kihei station for the recruit training, that

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1 there was a car there that had a Citizens Patrol on it
2 parked in the parking lot.

3 It might be suggested to Paia that they could do
4 something like that because those shopkeepers, they want
5 some -- and you know, you've been hearing from them. And
6 you've been doing a great job.

7 Thank you.

8 CHIEF FAAUMU: Thank you, Commissioner.

9 CHAIR TANAKA: Any other questions? None.
10 Thank you very much.

11 CHIEF FAAUMU: Thank you.

12 CHAIR TANAKA: Okay, moving forward. Next, Old
13 Business: Police Commission meeting, Molokai, November
14 15, 2017. We have availability, we have the acquisition
15 of the meeting space. We need to confirm. So I guess we
16 just want to get it out there. And as far as arrangements
17 for making the reservations for the overnight stay, we'll
18 coordinate through Amy. But, again, just -- just to pound
19 that into everybody who is going to be there. And so
20 we'll coordinate with you. Okay.

21 COMMISSIONER FEINBERG: I'll be there.

22 VICE-CHAIR HANZAWA: I'm sorry to report that I
23 won't be able to make it on November 15th.

24 CHAIR TANAKA: Okay. As far -- just as of right
25 now, everybody else will be able to make that, November?

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1 Okay. So we'll coordinate that through Amy via emails.

2 Next item would be the Discussion, the Chief --
3 the Annual Evaluation of the Chief. Our Subcommittee
4 created a -- two -- two actual documents. One would be a
5 simplification of the evaluation of -- our evaluation of
6 the Chief annually. It was presented to us just before
7 last meeting.

8 So now, after going through it, I have my
9 comments. And if you'll let me, I'll just go through what
10 my comment is, and then if anybody else had any questions
11 or comments.

12 Your Item 4, 4A, you have it in December each
13 year, the Chief shall submit an updated five-year plan,
14 and some of it got cut off, but as well as one-year plan
15 to the Commission which incorporates his goals. Okay.
16 The Chief fills out for us a self-evaluation which takes
17 place at the end of every year.

18 VICE-CHAIR HANZAWA: Currently. Currently.

19 CHAIR TANAKA: Yeah. So what -- as far as
20 this -- just this section only would be for -- instead of
21 asking for a document, we'll add in wording that says that
22 if the Chief may also include those and -- and incorporate
23 in his own self-evaluation which would be submitted to
24 this Commission before we actually do our review.

25 VICE-CHAIR HANZAWA: Yeah. Chair, I would

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1 suggest that the last sentence be revised to include the
2 wording that the Chief shall provide a self-evaluation and
3 include the accomplishments and the status of obtaining
4 each of his objectives of the prior year plans. So we'll
5 just include, "Provide a self-evaluation."

6 CHAIR TANAKA: The self-evaluation?

7 VICE-CHAIR HANZAWA: Yeah.

8 CHAIR TANAKA: Yeah, which -- which the Chief
9 does on -- on a yearly basis.

10 VICE-CHAIR HANZAWA: Right. Right. Right.

11 CHAIR TANAKA: Okay. Yeah. It's just -- just a
12 matter of wording in there.

13 VICE-CHAIR HANZAWA: Yeah.

14 CHAIR TANAKA: We -- we can figure out the
15 precise wording and say, okay, that's fine. Any -- does
16 anybody -- did anybody else have any other questions,
17 comments regarding the revised annual eval? No. Does --
18 is that okay with what -- with what your intention was as
19 a Subcommittee, what my comment was?

20 VICE-CHAIR HANZAWA: Yeah, that's fine. We
21 should get the Chief's self-evaluation. Does everybody
22 realize what we tried to do with this revision of the
23 Chief's evaluation of the -- of his performance? We tried
24 to make it simpler, for one, and to make it pertinent to
25 what we do as representatives of our community. And it

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1 kind of reflects what we think the community would want in
2 the Chief. And we, of course, are tasked with, among
3 other things, hiring and firing the Chief. And it's
4 important for us to get a clear evaluation and to reflect
5 that to the Chief of what -- what the community wants and
6 what we expect from him. So that's what this is all
7 about.

8 CHAIR TANAKA: Okay. So I think -- well, moving
9 forward regarding this item would be a revision of this --
10 this statement and that portion of the evaluation, to --
11 to incorporate, revise this -- the statement or the
12 question to say, okay, well, that it will incorporate what
13 the Chief already does for us on a yearly basis and his
14 self-evaluation. If that's all right, then we'll -- we
15 can address this again later, say, yeah, that's fine,
16 that's the wording that works.

17 COMMISSIONER TSAI: You want to adopt it, Chair?

18 CHAIR TANAKA: Do we --

19 MR. UEOKA: You guys should probably revise it
20 and then --

21 CHAIR TANAKA: And then just say -- yeah. At
22 the next meeting, say, yeah, that's the wording. But we
23 say we're not gonna take official action on it, we're just
24 gonna say -- I don't know -- is this still official
25 action -- saying that, for the year 2017, this is the

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1 evaluation we are going to use. 2018, there may be --

2 MR. UEOKA: Okay. If I may, Chair? At this
3 point, I think the next meeting will be September.

4 So November, you're going to be on Molokai. You want all
5 this done in December. So I guess you might want to do it
6 at your next meeting.

7 CHAIR TANAKA: Yeah.

8 MR. UEOKA: So the process I would recommend is
9 changes be made by the Subcommittee, they have the master
10 form, get it over to Amy, Amy can forward it out in
11 advance of the next meeting, then, on the agenda, you guys
12 adopt the recommendations of the Chief's -- Annual
13 Evaluation of Chief Subcommittee.

14 CHAIR TANAKA: So it is an action that the
15 Commission takes?

16 MR. UEOKA: Yeah, at the next meeting. Then you
17 guys will be set for December, which will creep up on you
18 quick, I'm sure.

19 CHAIR TANAKA: Okay. Okay. Sounds good. We'll
20 proceed that way.

21 The next item would be -- oh, sorry. Part 2 of
22 this annual evaluation, the Subcommittee created a -- what
23 is called a peer -- peer evaluation. The intention of the
24 Subcommittee was -- is to reach out to stakeholders, peers
25 of the Chief, the Mayor, the County Council, department

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1 heads, department deputies, Corp Counsel, prosecutors,
2 Fire and Safety, Emergency Management, Homeland Security,
3 SHOPO, HGEA, UPW, you know. So, I mean, that -- that's --
4 that's a fairly lengthy list. This is one -- one that --
5 the content of it, I -- I looked through, I says, yeah,
6 that's fine, it would be -- it's always nice to know
7 what -- the more people think.

8 What I did -- my -- my little nitpicky
9 suggestion would be to -- to narrow it down even more so
10 that it is as simple as possible. I mean, literally
11 taking this from a page and-a-third to a single page.
12 What I am thinking is, in just what the -- the list that
13 you have listed here, it's 22 entities that -- possibly
14 that you'd be -- that we would be reaching out to, some of
15 which -- some of these would -- to -- to send out a -- a
16 questionnaire, and some people will respond in a timely
17 manner, some won't, some won't respond at all. So I'm
18 just saying that maybe if -- if it was as simple as
19 possible. And, to me, shorter is simple. So a reduction
20 from a page and-a-third to a single page.

21 And then, of course, would be a letter from the
22 Commission to each individual that would say this is a
23 stakeholder peer evaluation of our Chief of Police,
24 please, we are reaching out to you for your -- your
25 response. And, of course, it would be anonymous when it's

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1 returned.

2 So the timing would be sometime close to the end
3 of the year, I'm assuming. And, hopefully, people would
4 respond and it could be incorporated as a single number
5 into the -- into our evaluation of the Chief, which we
6 attempt to, usually, coordinate in February, by March.
7 That's our typical -- typical mode.

8 So if -- well, any other -- any -- anybody else,
9 as you read it, did you feel like, yes, no, question here?

10 COMMISSIONER FEINBERG: Excuse me. Being part
11 of the committee, we've read over it. Howard and Gwen did
12 a terrific job. And I've read over everything. I feel
13 that all the questions that are being asked are pertinent.
14 And even though it's a page and-a-half, it's a page
15 and-a-half. That's what it is. And the people that you
16 will be sending a letter to, as the Chair, asking them to
17 fill this out, is then helping us get a full, complete
18 picture of the Chief and how he interacts with all these
19 different agencies. Yes, there are a lot of different
20 agencies, and, yes, not all of them will respond, but
21 whichever ones do will be helpful to us as a body.

22 CHAIR TANAKA: Well, no. You see -- well, I
23 don't know. Me, personally, it's not -- it -- it is a --
24 a piece that's inserted into our evaluation. What the
25 responses -- maybe. Some of the responses, assuming --

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1 because it's, basically, a numeric value that's added to
2 this. So it -- it would just be a numeric value that's
3 inserted into this document. Unless the person responding
4 has, you know --

5 COMMISSIONER FEINBERG: There is a comment
6 section.

7 CHAIR TANAKA: -- additional comments.

8 COMMISSIONER FEINBERG: There is a comment
9 section on all of them.

10 CHAIR TANAKA: Yeah. Yeah, but, basically, it's
11 an input of a number. And I guess that's why I said,
12 well, there's -- you would have -- you would have -- you
13 would have to have a box and say comments to -- to answer
14 the final question, which you said, well, to -- well, what
15 would -- what could possibly be -- be done for the Chief
16 to acquire a higher score. Okay. So there is no box
17 there that should be in there. Manini.

18 COMMISSIONER FEINBERG: Well, like we said on
19 Part A, that we're going to have to revise something
20 before the next meeting. That will be sent to Amy to
21 disseminate.

22 CHAIR TANAKA: Yeah.

23 COMMISSIONER FEINBERG: Maybe these objections
24 could be talked over with Howard and Gwen and the
25 committee, but I feel very strongly that the amount of

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1 people that it's being sent to -- and I think that was one
2 of your objections -- is appropriate. And that the
3 response -- and -- and the inquiry to all these other
4 agencies is very pertinent to the full picture of what is
5 going on and how --

6 CHAIR TANAKA: Okay.

7 COMMISSIONER FEINBERG: -- the Chief -- and I
8 feel the Chief is doing very well. And how he is being
9 viewed by his peers.

10 CHAIR TANAKA: Yeah.

11 COMMISSIONER FEINBERG: So I --

12 CHAIR TANAKA: Well --

13 COMMISSIONER FEINBERG: -- think it's important.
14 And just because it's a little too much, I don't think so.

15 CHAIR TANAKA: Well, no, no, no. I mean, no.
16 Granted, it's -- this could be easily done with formatting
17 of this document itself. Anyway, so that's -- that's what
18 I'm reaching out to as far as this. There's -- there's a
19 slight revision to the -- the individual -- our evaluation
20 of the Chief, so the wording will be changed. We'll look
21 at it again, address this at the next meeting.

22 VICE-CHAIR HANZAWA: Yeah. Chair, I think
23 you're looking at, for one thing, the length of the form
24 that's sent out. And you could be correct in that, you
25 know, all those that receive it will probably not read

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1 everything before they get down to the scoring on the
2 bottom, but we'll talk it over in -- in our committee,
3 yeah. Like customer service, are they gonna read
4 everything on customer service, planning and organizing
5 and so forth. We -- we could list all those things, but
6 we'll discuss it in our --

7 CHAIR TANAKA: Gwen.

8 COMMISSIONER HIRAGA: I agree with Larry,
9 Commissioner Feinberg. To me, this is not difficult to
10 read. There is 11 items. Actually, only 10. And it's
11 brief. It does -- it won't take a person even five
12 minutes to read this. We're not evaluating -- or these
13 people are not evaluating the Chief on every single item
14 numerically; it's a total.

15 CHAIR TANAKA: Yeah. Yeah.

16 COMMISSIONER HIRAGA: And I don't -- I don't
17 quite understand what your concern is. And, you know, I
18 wouldn't recommend any changes to this, as a member of the
19 Subcommittee.

20 CHAIR TANAKA: Yeah. Okay. Well, I mean, I was
21 just -- I was just saying that the -- the simpler it is,
22 the better the response. My -- my fear would be that --
23 that the response wouldn't be as -- as expected.
24 Anyway --

25 COMMISSIONER HIRAGA: Well, we're not going to

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1 know until we do it.

2 COMMISSIONER FEINBERG: Exactly.

3 CHAIR TANAKA: True.

4 COMMISSIONER FEINBERG: We don't know --

5 CHAIR TANAKA: True.

6 COMMISSIONER FEINBERG: -- until we know.

7 CHAIR TANAKA: Yeah.

8 VICE-CHAIR HANZAWA: And then we'll -- we'll
9 include a drop-dead date, you know --

10 COMMISSIONER HIRAGA: Yeah.

11 VICE-CHAIR HANZAWA: -- for a response. You
12 have to have a date.

13 CHAIR TANAKA: Yeah. Okay. Other than that,
14 there was just one sentence that threw me. In Number 3,
15 provides effective employee development and sharing
16 employee development and share leadership, when
17 appropriate. That kind of threw me for a loop.

18 COMMISSIONER FEINBERG: What part? What's the
19 part that --

20 CHAIR TANAKA: Share --

21 COMMISSIONER FEINBERG: -- that upsets you?

22 CHAIR TANAKA: And share employee development
23 and share leadership. Share leadership, when appropriate.
24 I -- I don't know. I guess that -- that threw me. And
25 share employee development and share leadership when -- I

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1 don't know. Is -- does that -- am I the only one thrown
2 for a loop with that?

3 COMMISSIONER FEINBERG: As a manager, you should
4 want to be able to talk to your employees and make sure
5 that they're developing and what they're doing is in
6 accordance with what they're tasked with. And I think
7 that's what it's talking about. So we're just asking
8 other people and him, you know, how he responds to his
9 rank and file.

10 VICE-CHAIR HANZAWA: Are there any other
11 concerns or comments about the form; otherwise our
12 committee will get together.

13 CHAIR TANAKA: Okay. Sounds good. Yeah.
14 Again, I mean, I got -- I don't have -- it's not -- I'm
15 just thinking that -- what the ultimate response would be.
16 And like -- like -- Gwen, like you said, we're not going
17 to know until we -- until we do it, yeah. Okay.

18 New Business, none. We will --

19 MR. UEOKA: Discussion on budget.

20 CHAIR TANAKA: Oh, shit. Sorry. I thought that
21 was the second --

22 COMMISSIONER HIRAGA: That's going to be on the
23 record.

24 CHAIR TANAKA: Regarding --

25 COMMISSIONER FEINBERG: That's not on the

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1 record.

2 CHAIR TANAKA: Regarding --

3 COMMISSIONER TSAI: It's on the record.

4 CHAIR TANAKA: Discussion regarding Budget
5 Review Process Committee. Moving forward on this item,
6 now, the Subcommittee got together with the Chief. And we
7 kind of -- the Chief has agreed to -- to accommodate the
8 Commission. Has the -- has the committee set or would the
9 Chief himself set a process, a -- critical dates? I don't
10 know. How --

11 COMMISSIONER HIRAGA: Well, the Chief just
12 reported today --

13 CHAIR TANAKA: Yeah.

14 COMMISSIONER HIRAGA: -- that the process will
15 begin in September.

16 CHAIR TANAKA: Yes.

17 COMMISSIONER HIRAGA: So it's consistent with
18 what we've discussed.

19 CHAIR TANAKA: With what -- yeah, with what the
20 intention is.

21 COMMISSIONER HIRAGA: Yeah.

22 CHAIR TANAKA: Now, so as far as that, no -- no
23 further --

24 COMMISSIONER HIRAGA: We did not have a second
25 meeting with the Chief.

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1 CHAIR TANAKA: Yeah.

2 COMMISSIONER HIRAGA: But, basically, and based
3 on his report, he -- he did agree. And at the last
4 meeting, it was Deputy Rickard that was here, wasn't Chief
5 Tivo, but, again, based on what was said today, he's okay
6 with what we had come up with. So I don't know that there
7 is need to be -- are -- are you looking for more
8 discussion on this or --

9 CHAIR TANAKA: If -- yeah, yeah. No, but what
10 procedurally the steps to be taken.

11 MR. UEOKA: Could I make a recommendation,
12 Chair? Possibly a memo --

13 COMMISSIONER HIRAGA: Well --

14 MR. UEOKA: -- from the Commission to the Chief
15 outlining what the expectations are in writing. And being
16 that it's from this body, again, same thing, memo be given
17 in advance for the next meeting and you guys vote on it as
18 a body for it to --

19 CHAIR TANAKA: Oh, okay.

20 MR. UEOKA: -- be sent to the Chief.

21 CHAIR TANAKA: Okay. Okay.

22 MR. UEOKA: And at least -- I know there's a
23 understanding that makes sense, we -- it was reported
24 on --

25 CHAIR TANAKA: Yeah.

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1 MR. UEOKA: -- it makes sense, but, possibly, if
2 it was just formalized. I know it's more work for
3 everyone, so I apologize, but that might be simpler.

4 CHAIR TANAKA: Okay. Okay. Yeah. Then that --
5 that would work, a memo version of the process.

6 COMMISSIONER HIRAGA: So this is a memo to the
7 Chief?

8 CHAIR TANAKA: Yeah, confirmation -- yeah, memo,
9 letter.

10 MR. UEOKA: It will be from the Commission.

11 CHAIR TANAKA: Yeah.

12 MR. UEOKA: So just -- I don't know who is going
13 to -- just outlining --

14 COMMISSIONER HIRAGA: Okay.

15 MR. UEOKA: -- the process.

16 COMMISSIONER HIRAGA: So our report that we
17 provided at the last meeting, are you saying that we need
18 to do something in addition to that? I mean, was -- it
19 outlined and even had a timeline.

20 CHAIR TANAKA: Yeah.

21 MR. UEOKA: Perfect.

22 CHAIR TANAKA: Yeah. Yeah, basically, verifying
23 what -- what your report stated. I don't know. Because
24 is -- was that -- or is that a matter of record?

25 MR. UEOKA: I'm sorry. I forgot about the

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1 report. So --

2 COMMISSIONER HIRAGA: We had the report last
3 meeting.

4 MR. UEOKA: The report could probably work to be
5 adopted from this body.

6 CHAIR TANAKA: Okay. Okay.

7 MR. UEOKA: You should probably adopt it at the
8 next meeting, though. Just put it on the agenda as
9 adoption of the --

10 COMMISSIONER FEINBERG: But the -- correct me if
11 I'm wrong, but I think that the committee gave a document
12 and gave a timeline.

13 CHAIR TANAKA: Yeah. That's what --

14 COMMISSIONER FEINBERG: And it's approved.

15 CHAIR TANAKA: That's what Gwen just --

16 COMMISSIONER FEINBERG: Yeah. So --

17 CHAIR TANAKA: -- referred to.

18 COMMISSIONER FEINBERG: -- that's what I'm
19 saying. So what's the confusion?

20 CHAIR TANAKA: Yeah.

21 MR. UEOKA: I don't think this body has adopted
22 it, though.

23 CHAIR TANAKA: Yeah.

24 COMMISSIONER TSAI: No.

25 COMMISSIONER FEINBERG: Okay.

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1 CHAIR TANAKA: Yeah.

2 MR. UEOKA: Just for safety with Sunshine,
3 just --

4 COMMISSIONER FEINBERG: Okay. So we should do
5 that --

6 MR. UEOKA: -- it has to be adopted on the
7 agenda --

8 COMMISSIONER FEINBERG: We could do that --

9 MR. UEOKA: -- as an adoption of that.

10 COMMISSIONER FEINBERG: -- with the other thing
11 at the other at the next meeting.

12 CHAIR TANAKA: Yes.

13 COMMISSIONER FEINBERG: Thank you.

14 CHAIR TANAKA: Okay. Okay. Thank you very --
15 oh, anything else regarding this?

16 COMMISSIONER TSAI: Yes. Just a question on
17 procedure here. Looking at this and, also, Chief's
18 review, what is this body's intention when it's time to
19 actually, you know, do the review? Are we going to
20 individually do a review on the Chief, for example?

21 COMMISSIONER HIRAGA: Yeah.

22 COMMISSIONER TSAI: And then we're going to
23 submit it anonymously, then we're going to discuss it?
24 Just like the budget, we always have a thanks for
25 providing the budget to us. Are we going to all review it

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1 at one time and then discuss as a body together?

2 CHAIR TANAKA: That's not my interpret -- that's
3 not my understanding. What -- Gwen -- Gwen, please,
4 what -- what -- what the time -- what your timeline has
5 showed, these are the critical dates. Now, the
6 Commission, you're -- it's not -- I don't know. It's
7 not -- my understanding, it's not the Commission is going
8 to go take individually or as an entire body and say,
9 approve, next step, approve, next step, approve, next
10 step. This is -- I don't know. Go ahead, Gwen, your
11 committee.

12 COMMISSIONER HIRAGA: So, again, based on what
13 the -- we're -- right now, according to our draft or
14 proposed timeline, was that the Department would start its
15 preparation really in August, September. But the
16 Commission as a body has to review it in September,
17 October. Now, depending on what the deadline is for the
18 Chief -- or for the Commission to submit to the Mayor, we
19 don't have that date. But, typically, it's been
20 October-ish, right, in October. And I don't know if you
21 had an update on the -- or, Jeff, maybe you work with
22 budget. So we don't know what the deadline is.

23 COMMISSIONER TSAI: Well, I guess more a
24 question for Jeff, too, is, for our bylaws, what is
25 required of this Commission regarding that? Do we need to

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1 actually -- it says review budget and submit. So we need
2 to bless it as a body before it's submitted, correct? So
3 then we need to actually be approving it as a body in a
4 session before official submittal. Right?

5 MR. UEOKA: Yes. You review and submit. And I
6 would assume if the body doesn't agree with the submittal,
7 they wouldn't submit it over. But the difficulty, it's
8 the timing of it. It's because you guys meet once a
9 month. And the budget is pretty dynamic, up until, I'd
10 say, it's handed over to the Mayor. So you guys might
11 meet on June -- or September -- I'm just throwing out
12 random dates -- September 23rd or something. If it's not
13 due until August -- I mean October 7th, things may or may
14 not change. So the approval, either have to have a
15 special meeting closer to the date or the approval will
16 have to afford the Department some flexibility. That's
17 all I'm saying.

18 COMMISSIONER TSAI: But we do need to take
19 action on it, obviously?

20 MR. UEOKA: You probably should.

21 COMMISSIONER HIRAGA: Yeah. Yeah.

22 COMMISSIONER TSAI: I mean, that's the same as
23 the review, too, right, it has to be official capacity?

24 MR. UEOKA: Everything this body does should be
25 done as a body --

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1 COMMISSIONER TSAI: Right.

2 MR. UEOKA: -- in a properly noticed public
3 meeting.

4 COMMISSIONER TSAI: That's why I wanted to --
5 just kind of looking ahead. And, you know, kind of --

6 COMMISSIONER HIRAGA: So already, at this
7 point -- and we don't have the date that we need to submit
8 to the Mayor, but, you know, in the past, just based on
9 past practice, it was October. And for -- for me, I would
10 suggest that, if we need to, we have a special Commission
11 meeting just to review the budget. And it could be early
12 October. I don't know how the Chief and Executive Staff
13 feels about it, but --

14 CHIEF FAAUMU: I think when I met with -- well,
15 going back to the meeting that I had with the
16 Subcommittee, and our consensus and what we agreed on,
17 that I will do the preparation of the budget, the budget
18 proposal. I have several steps that I must go through.

19 COMMISSIONER HIRAGA: Right.

20 CHIEF FAAUMU: We refer to it as budget concept
21 meeting where all the bureau will come in front of myself,
22 the Deputy and Ms. Magonigle and our accountant. So we go
23 over the individual bureau budget where all the commanders
24 will do their proposal. And we'll tell them, yes, that
25 items, you know, whatever we -- and at the end of the

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1 three bureaus report to us, then three of us will look at
2 our budget, we'll go over it, and come up with the
3 proposal, our first proposal, to the Mayor. What I
4 recommended to the Subcommittee as -- you know, to save
5 time and allowing them, what I recommended is they will
6 look at my draft, my proposal that I make, and then that's
7 where the Subcommittee will then, with the Chief, as we --
8 we go over it and Executive Staff and we'll submit it to
9 the main body for your review and approval. Then we send
10 it out to the -- but one thing that I -- I mentioned to
11 the Subcommittee, once my proposal go out, sometimes you
12 don't hear from them. Then, all of a sudden, in one week,
13 you have five, six, seven emails, what about this, what
14 about that, you know. And I said when I go through that
15 dialogue with the budget -- whether it's the Budget
16 Director, when I go through that, I -- what I recommended
17 that I will c.c. them through -- you know, with the email.
18 But it is -- it's gonna be -- I think my intention was --
19 even with the Subcommittee, our intention was to -- to
20 save -- I think we can manage the time to meet the
21 deadline, but to save your time. Because, for me, I will
22 be dealing with it during business hours as we go back and
23 forth, back and forth, back and forth. But if the
24 Subcommittee getting involved with those, you know, I
25 don't have a date.

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1 CHAIR TANAKA: Yeah, to go for the back and
2 forth.

3 CHIEF FAAUMU: Mr. Ueoka.

4 MR. UEOKA: Yeah. Actually, I would recommend
5 not doing it with the Subcommittee, Chief, because the
6 problem with Sunshine Law and Subcommittees is they report
7 at one meeting, you can't take action until the next
8 meeting. So it would, actually, take two months. So the
9 presentation should be made to the body. And while I'm
10 sure the body will appreciate updates, per Charter, the
11 requirement is met once the budget is submitted to the
12 Mayor. So I am sure they would love updates and to know
13 what is going on, but it's not as pressing as much as the
14 Charter requirement of the review and submittal.

15 Thank you. Thank you, Chief. Thank you, Chair.

16 CHAIR TANAKA: Is -- is the -- the -- whether it
17 be the first draft of the proposed budget or revised or a
18 final, public record and how does that work? Because what
19 I'm thinking of is for the entire body to have, whether it
20 be a document like this or -- or looking at it on a screen
21 via email, how does that work?

22 MR. UEOKA: As far as confidentiality goes, I
23 don't believe the report made to this body will
24 necessarily be -- the official document coming out will be
25 the details of it. It will most likely be the

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1 Department's line item, which it's very general. The --
2 for confidentiality purposes, you don't want to get into
3 the budget details where certain things are considered
4 significant privacy interests regarding individuals'
5 salaries and employment levels.

6 CHAIR TANAKA: All right.

7 MR. UEOKA: So --

8 CHAIR TANAKA: Okay.

9 MR. UEOKA: Generally speaking, you'll probably
10 have like a general breakdown of operations, just salary,
11 probably CIP, equipment, that type of thing, the general
12 sort.

13 CHAIR TANAKA: Yeah, okay.

14 MR. UEOKA: Won't get into detail on --

15 CHAIR TANAKA: Detailed.

16 COMMISSIONER TSAI: Similar to this that we just
17 got?

18 CHAIR TANAKA: Yeah.

19 MR. UEOKA: Probably, yeah.

20 COMMISSIONER HIRAGA: That's just a --

21 COMMISSIONER TSAI: Yeah.

22 COMMISSIONER HIRAGA: Well, you know, and that
23 just goes to show that we haven't done it before. So
24 that's why --

25 MR. UEOKA: It's always been addressed.

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1 COMMISSIONER HIRAGA: And then that's why, you
2 know, we don't know how to proceed. But I think, you
3 know, just moving forward, and we said, from Fiscal 2018,
4 this is what we would like to see occur.

5 MR. UEOKA: '19. '19.

6 COMMISSIONER HIRAGA: Huh?

7 MR. UEOKA: '19.

8 COMMISSIONER HIRAGA: And, you know, possibly
9 September, if not, then we do our review in October. It
10 will depend on when it has to be submitted to the Budget
11 Director. And we don't know that date, but I think that,
12 as a Commission, we should keep in mind that we may to
13 have a special meeting.

14 CHAIR TANAKA: Okay. Two -- twofold. To finish
15 up my question, so that's something what -- what is being
16 prepared can be emailed to us, because it's not --
17 wouldn't be sensitive, confidential?

18 MR. UEOKA: That would be my understanding.

19 CHAIR TANAKA: Yeah. Okay. So then at least,
20 that way, now we have an advance -- we have it in advance.
21 Then -- and here's -- the second part of my question is,
22 okay, say, just best case scenario for this body, we meet
23 on the third Wednesday of the month, and would it be a
24 special meeting versus being able to do it in our regular
25 meeting in Executive Session? How does that work out as

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1 far as procedure, following correct procedure?

2 MR. UEOKA: I'm not sure why it would need to be
3 in Executive Session at either meeting, special other
4 regular meeting.

5 CHAIR TANAKA: Oh, okay.

6 MR. UEOKA: It's just --

7 CHAIR TANAKA: So that's open session item
8 that --

9 COMMISSIONER HIRAGA: Yeah.

10 CHAIR TANAKA: Yeah.

11 MR. UEOKA: Unless it's -- unless it's not. You
12 know, something comes up.

13 CHAIR TANAKA: Yeah, yeah, yeah, yeah.

14 MR. UEOKA: I can't tell you where you guys are
15 going to go with it.

16 CHAIR TANAKA: Oh, okay. Okay. Yeah. So, I
17 mean, that's -- that's something -- we always talk -- are
18 saying that it's not sitting down and then looking at it
19 for the first time. If it's something that can be given
20 to us in advance, so that when we come as -- come together
21 as a body, we look and say, how -- what is this, how does
22 this work, why is this number this and, you know,
23 whatever. Yeah. Okay. So we take action on this, adopt
24 the procedure-wise at the next meeting. We will -- this
25 is August. September meeting we will see where we are

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1 with what the Department can provide to the entire
2 Commission. And -- and we'll go from there. And then
3 moving forward to October and strictly retaining --
4 regarding the budget item, whether it be a special meeting
5 or not. Make sense? Does that make sense?

6 COMMISSIONER TSAI: Yeah.

7 CHAIR TANAKA: Okay. Okay. Any other
8 questions, discussions regarding that? No? I can just
9 declare recess to move in --

10 MR. UEOKA: You might want to do your motion to
11 go into Executive Session and call the recess.

12 CHAIR TANAKA: Okay. So the Chair will
13 entertain a motion to go into Executive Session after a
14 short recess.

15 COMMISSIONER FEINBERG: I make a motion that we
16 go into Executive Session.

17 CHAIR TANAKA: So moved by Commissioner
18 Feinberg. Do I have a second?

19 COMMISSIONER SANTIAGO: Second.

20 CHAIR TANAKA: Seconded by Commissioner
21 Santiago. We are now in --

22 MR. UEOKA: Need a vote.

23 COMMISSIONER TSAI: Gotta vote.

24 COMMISSIONER HIRAGA: You got to vote.

25 COMMISSIONER TSAI: All in favor.

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1 CHAIR TANAKA: All in favor, please say "aye."
 2 (Response.)
 3 CHAIR TANAKA: Any opposed?
 4 (No response.)
 5 CHAIR TANAKA: Hearing none, motion carried. We
 6 are now in recess.
 7 (Recess, 11:46 a.m. to 11:59 a.m.)
 8 (Executive Session, 11:59 a.m. to 12:03 p.m.)
 9 CHAIR TANAKA: We are now out of Executive
 10 Session and back in open session.
 11 COMMISSIONER FEINBERG: We have to call the TV
 12 guy.
 13 MR. UEOKA: Take a brief recess.
 14 CHAIR TANAKA: We'll take a 20-second recess
 15 for --
 16 (Recess, 12:03 p.m. to 12:04 p.m.)
 17 CHAIR TANAKA: Okay. We are now back in open
 18 session. The Chair would entertain a motion to ratify all
 19 decisions made in Executive Session.
 20 COMMISSIONER KAWASAKI: So moved.
 21 COMMISSIONER SANTIAGO: So moved.
 22 CHAIR TANAKA: So moved --
 23 COMMISSIONER FEINBERG: Seconded.
 24 CHAIR TANAKA: -- by Commissioner Kawasaki, so
 25 seconded by Commissioner Santiago. All those in favor,

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1 please say "aye."

2 (Response.)

3 CHAIR TANAKA: Any opposed?

4 (No response.)

5 CHAIR TANAKA: Hearing none, motion carries.

6 Okay. Last item, discussion, police -- any
7 future Maui Police Commission agenda items. If there are
8 anything, we can correspond via email through Amy.

9 Agenda setting, the next meeting of the Maui
10 Police Commission is scheduled for September 20th, 10:00
11 a.m., at the University of Maui College Campus. Same
12 time, same place, next month.

13 Any other comments, questions?

14 COMMISSIONER SYLVA: I cannot be here.

15 COMMISSIONER HIRAGA: Me, too, I'm not going to
16 here.

17 CHAIR TANAKA: Yeah, but the rest of us will be
18 here, correct? Okay. We still have quorum as of --

19 VICE-CHAIR HANZAWA: Six.

20 CHAIR TANAKA: Yeah. Okay. If there's no
21 other --

22 COMMISSIONER FEINBERG: I have one thing. I'd
23 like to go on record to apologize. I did -- I misheard
24 from the Chief. And when I made my statement about the
25 protesters, that there were no bad people, that there were

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1 actually community leaders and good people, and I
2 apologize to anybody if I misspoke. Thank you.

3 CHAIR TANAKA: Thank you, Commissioner Feinberg.

4 Any other comments? None.

5 Meeting is adjourned. Thank you very much.

6 (Meeting adjourned, 12:05 p.m.)

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CERTIFICATE

I, TONYA MCDADE, Certified Shorthand Reporter of the State of Hawaii, do hereby certify that the proceedings contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney nor an employee of any of the parties hereto, nor in any way concerned with the cause.

DATED this 6th day of September, 2017.

/s/ Tonya McDade

Tonya McDade
Certified Shorthand Reporter #447
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Reporter